

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

Civil Action No. 7:16-CV-16-RJ

CYBERNET LLC; and ALADDIN)
REAL ESTATE, LLC,)

Plaintiffs,)

v.)

MOTION FOR SUMMARY
JUDGMENT

JONATHAN DAVID, in his personal)
capacity and his official capacity as)
District Attorney for the 13th)

Prosecutorial District of North Carolina;)

JAMES McVICKER, in his personal)

capacity and his official capacity as)

Sheriff of Bladen County, North)

Carolina; and TRAVIS DEAVER in his)

personal capacity and his official capacity)

as Deputy Sheriff of Bladen County,)

North Carolina,)

Defendants.)

NOW COMES the defendant, Jonathan David, District Attorney for the 13th
Prosecutorial District of North Carolina, in his individual and official capacities, by and through
Joshua H. Stein, North Carolina Attorney General, and David J. Adinolfi II, Special Deputy
Attorney General, and moves this Court for summary judgment pursuant to Federal Rule of Civil
Procedure 56(c) on the ground that there is no genuine issue of material fact and defendant David
is entitled to judgment as a matter of law.

Respectfully submitted this 7th day of March, 2018.

JOSHUA H. STEIN
Attorney General

/s/ David J. Adinolfi II
Special Deputy Attorney General
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CERTIFICATE OF FILING AND SERVICE

The undersigned hereby certifies that he has this day served a copy of the defendant's Motion for Summary Judgment upon the persons indicated below by depositing said copy in the United States mail, postage prepaid, and electronically filed the foregoing Motion for Summary Judgment with the Clerk of Court using the CM/ECF system which may also send notification of such filing to the following:

Patrick Spaugh, Esq.
Christopher J. Geis, Esq.
Womble Carlyle Sandridge & Rice, LLP
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Winston-Salem, NC 27101

William J. Brian, Jr., Esq.
Keith P. Anthony, Esq.
Morningstar Law Group
630 David Drive, Suite 200
Morrisville, North Carolina 27560

This the 7th day of March, 2018.

/s/ David J. Adinolfi II
Special Deputy Attorney General